

being dependent upon a rejected base claim. Applicant believes that claim 1 is allowable over the cited prior art at least for the reasons set forth below. Therefore, claims 2, 9, 11, 12, 14, and 16-18, which depend on claim 1, are believed to be allowable. However, Applicant stands ready to rewrite claims 2, 9, 11, 12, 14, and 16-18 to be in independent form so that they do not depend on rejected claims.

III. 35 U.S.C. § 102(e) Rejection

Claims 1, 3-8, 10, 13, and 15 have been rejected under 35 U.S.C. § 102(e) as unpatentable over U.S. Patent No. 6,728,482 to Hagimori et al. ("Hagimori"). Applicant respectfully traverses this rejection, and reconsideration is respectfully requested.

Applicant submits that Hagimori does not disclose every element of the claims. Furthermore, Hagimori is prior art under 35 U.S.C. § 102(e) as of its earliest U.S. filing date of July 1, 2003 and does not constitute prior art because its earliest U.S. filing date is later than the filing date of Japanese Patent Application No. 2002-212232, which was filed July 22, 2002. Applicant claims priority to Japanese Patent Application No. 2002-212232 under 35 U.S.C. § 119. To perfect the claim to priority based upon Japanese Patent Application No. 2002-212232, enclosed with this Response is a certified English Translation of the Priority Application. The pending claims are not anticipated by Hagimori because the reference does not constitute prior art. Withdrawal of the claim rejections on these grounds is respectfully requested.

Based on the foregoing, the rejections of claims 1, 3-8, 10, 13, and 15 under 35 U.S.C. § 102(e) should be withdrawn, and reconsideration is respectfully requested.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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